

## IN THE UNITED STATES PATENT OFFICE

APPLICATION OF HAROLD SHEVERS, JR. )

SERIAL NUMBER 10/039,370 )

FILED: JANUARY 2, 2002 )

TITLE: RING MOUNTED CALCULATOR )

EXAMINER: WILLMON FRIDIE, JR. )

DECLARATION IN SUPPORT OF NONOBVIOUSNESS  
UNDER 37 C.F.R. §1.132

I, William H. Anderson, do hereby state and declare the following:

I am Senior Vice President and General Counsel of Sportsman's Market, Inc., the assignee of the above identified patent application. Sportsman's Market, Inc. is a leading retailer and distributor of aviation products and supplies, and has served this market for more than forty years.

Sportsman's Market, Inc. has continuously marketed and sold an electronic E6B flight calculator since its introduction in the late 1980s. In August 2001, Sportsman's Market, Inc. introduced a ring-mountable E6B flight calculator which is the subject of the pending application. The ring-mountable calculator is a much needed solution to the problems faced by pilots who were previously required to separately carry and keep track of their flight computers and navigational aides such as charts and maps. Because charts and maps from different suppliers are provided in different formats, and with different types of mounting arrangements, pilots have often found themselves scrambling to locate their separately stored flight calculators and charts when necessary to perform flight planning and calculations during flight. Accordingly, the ring-mountable calculator of the present inventions permits the flight calculator to be

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conveniently secured in a variety of types of ring binders so that the calculator can be stored together with the navigational aides.

Since its introduction, the ring-mounted E6B calculator has enjoyed remarkable commercial success. In particular, sales of the ring-mounted E6B have been quite successful, initially boosting sales of all E6B calculators by 20%. During this same time, sales of the original E6B calculator have declined to the point where the ring-mounted calculator currently enjoys approximately 45% of the overall market for E6B calculators. Aside from the inventive features described and claimed in the application, the ring-mounted E6B calculator is similar to its predecessor. Moreover, there has been no special advertising, beyond normal product promotion, specifically directed to the ring-mounted calculator. Accordingly, the commercial success of the invention is attributed directly to its inventive features.

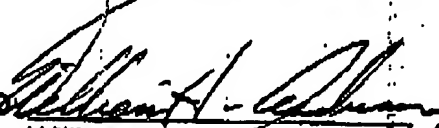
Further Declarant sayeth naught.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

DATE:

6/7/04

SIGNED

  
William H. Anderson  
Senior Vice President  
and General Counsel  
Sportsman's Market, Inc.

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